

REMARKS

Reconsideration and withdrawal of the rejections set forth in the Office Action are respectfully requested in view of this amendment and the following reasons. By this amendment, claim 14 has been amended. Accordingly, claims 1-25 are pending in this application.

Claim 14 has been amended to correct informalities. Thus, it is respectfully submitted that the above amendments introduce no new matter within the meaning of 35 U.S.C. §132. Accordingly, Applicants request reconsideration and timely withdrawal of the pending rejections for the reasons discussed below.

Claim Objection

Claim 14 was objected to because of the following alleged informalities: claim 14, line 3, the “a” before “area” should be “an.”

In accordance with the Examiner’s suggestion, the “a” before “area” recited in claim 14, line 3 has been corrected to -- an --. Accordingly, Applicants respectfully request withdrawal of the objection to claim 14.

Rejections Under 35 U.S.C. §102

Claims 1-8, 10-13, and 15-25 stand rejected under 35 U.S.C. §102(b) as being allegedly anticipated by U.S. Patent No. 6,516,157 issued to Maruta et al. (“Maruta”). Applicants respectfully traverse this rejection for at least the following reasons.

Applicants respectfully submit that the rejections of independent claim 1 must be

withdrawn because the cited reference does not disclose, teach, or suggest all of the features of the claimed subject matter. “Anticipation requires the disclosure in a single prior art reference of each element of the claim under consideration.” *W.L. Gore & Assocs. V. Garlock*, 721 F.2d 1540, 220 USPQ 303 (Fed. Cir. 1983), cert. denied, 469 U.S. 851 (1984). Further, “when evaluating the scope of a claim, every limitation in the claim must be considered. U.S.P.T.O. personnel may not dissect a claimed invention into discrete elements and then evaluate the elements in isolation. Instead, the claim as a whole must be considered.” *U.S.P.T.O. Interim Guidelines for Examination of Patent Applications for Patent Subject Matter Eligibility*, page 9, October 26, 2005. As the Federal Circuit stated, “[a]nticipation requires the presence in a single prior art reference disclosure of each and every element of the claimed invention, arranged as in the claim.” *Lindemann Maschinenfabrik GmbH v. American Hoist & Derrick Co.*, 730 F.2d 1452, 221 USPQ 481, 485 (Fed. Cir. 1984) (citing *Connell v. Sears, Roebuck & Co.*, 722 F.2d 1542, 220 USPQ 193 (Fed. Cir. 1983)).

Here, in view of this framework, Applicants respectfully submits that it is clear that Maruta fails disclose every recited feature of claim 1. Specifically, claim 1 recites, *inter alia*:

an area coverage calculation section for calculating an *area coverage* by image forming material *defined by an area of a print sheet covered with image forming material* when printing the image data on the print sheet (Emphasis Added)

Maruta does not disclose, teach, or suggest at least this feature. There is no teaching or suggestion in Maruta that the center side data processor 4 performs a calculation of an *area coverage* by print materials. Rather, as mentioned in Office Action, page 3, lines 2-5, Maruta

discloses that “[c]ost calculation is based on the type of document corresponding to the defined document size (large/small) and *ACS determination result (black-and-white/color)*, and the number of documents for each type.” (Maruta, Col. 9, lines 21-24; emphasis added). Here, Applicants respectfully assume that the Examiner relies on this portion of the reference, along with Col. 8, line 59 to Col. 9, line 8, believing that the “ACS determination” anticipates the above-cited feature of claim 1. However, Applicants respectfully note that the “ACS determination” (Auto Color Select) taught by Maruta is to “*identify* whether the document set on glass platen 81 is a *black-and-white* document or a *color* document to determine the copy mode.” (Maruta, Col. 7, lines 49-53; emphasis added). In other words, the disclosed procedure of the “ACS determination” is merely directed to a determination of a document type, i.e. a black-and-white document or a color document. In order to determine a type of a document, the “ACS determination” procedure teaches that identification of the document is “made on the basis of whether the *ratio* of the number of chromatic dots C_n sampled from a document size region with respect to the total number of dots S_n sampled from the same region *is smaller or not than a predetermined value* SREF7-ø provided from CPU 310.” (Maruta, Col. 7, lines 54-59; emphasis added). Thus, the teachings of Maruta in Col. 8, line 59 to Col. 9, line 8 upon which the rejection is based are directed to an example of calculations of the “number of chromatic dots C_n ” and the “total number of dots S_n ” each sampled from a document size region. Hence, in Maruta, there is no recognition for calculation of an area covered by image forming material. Accordingly, Maruta fails to disclose, teach, or suggest at least an area coverage calculation section for “calculating an area coverage by image forming material defined by an area of a print

sheet covered with image forming material when printing the image data on the print sheet,” as recited in claim 1.

Since Maruta does not teach or suggest the claim feature above, it also fails to disclose, teach, or suggest the following claim feature:

a printing cost calculation section for *calculating a printing cost* for printing the image data, *based on the area coverage by image forming material*, printing cost information for each of the plurality of printing machines, and a print count of the image data (Emphasis Added)

Because Maruta fails to disclose, teach, or suggest every recited feature of claim 1, Applicants respectfully submit that the reference does not anticipate claim 1.

Claims 4, 8, 18, and 22 recite similar features as claim 1, and therefore, are allowable for at least this reason.

Accordingly, Applicants respectfully request withdrawal of the 35 U.S.C. §102(b) rejection of claims 1, 4, 8, 18, and 22. Claims 2, 3, 5-7, 10-13, 15-17, 19-21, and 23-25 depend from claim 1, 4, 8, 18, or 22 and are allowable for at least this reason. Since none of the other prior art of record discloses or suggests all the features of the claimed subject matter, Applicants respectfully submit that independent claims 1, 4, 8, 18, and 22, and all the claims that depend therefrom, are allowable.

Rejections Under 35 U.S.C. §103

Claims 9 and 14 stand rejected under 35 U.S.C. §103(a) as being allegedly unpatentable over Maruta. Applicants respectfully traverse this rejection for at least the following reasons.

Applicants respectfully submit that claims 9 and 14 are allowable over Maruta at least because they depend from allowable claim 8.

Accordingly, Applicants respectfully request withdrawal of the 35 U.S.C. §103(a) rejection of claims 9 and 14.

CONCLUSION

Applicants believe that a full and complete response has been made to the pending Office Action and respectfully submit that all of the stated objections and grounds for rejection have been overcome or rendered moot. Accordingly, Applicants respectfully submit that all pending claims are allowable and that the application is in condition for allowance.

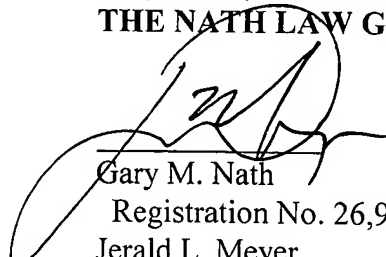
Should the Examiner feel that there are any issues outstanding after consideration of this response, the Examiner is invited to contact Applicants' undersigned representative at the number below to expedite prosecution.

Prompt and favorable consideration of this Reply is respectfully requested.

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